



October 27, 2020

Via ECF

Judge Gary R. Brown
United States District Court
Eastern District New York
100 Federal Plaza
Central Islip, New York 11722-9014

Re: LaVan v. Parrish, et al.
Index No.: 2:19-cv-04496 (ENV)(SMG)

Dear Judge Brown:

This office represents Defendants Richard Parrish and Dolores Parrish¹ (collectively, “Defendants”) in the above referenced-action. We write in furtherance of Your docket entries of September 25, 2020, wherein it was Ordered that Plaintiff show cause “in writing on ECF why this case should not be *dismissed with prejudice* for failure to prosecute by October 26, 2020” (emphasis added). It was further Ordered that “Failure to show cause by the above date will result in *dismissal of the complaint with prejudice*, judgment being entered, and the case dismissed” (emphasis added).

On the same date, Your Honor denied Defendants’ letter application to dismiss with prejudice, based on the above Order to Show Cause, with leave to renew the application for dismissal with prejudice after October 26, 2020.

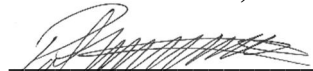
Today, on October 27, 2020, we received from Ms. LaVan the letter and email annexed hereto. Ms. LaVan claims that she was “unable to e-file” the letter, and simply requests that the matter be dismissed “hopefully, without prejudice.” Ms. LaVan does not explain her failure to follow the Court’s Order, or her failure to send the letter to us in a timely manner.

Thus, in accordance with Your Honor’s previous Orders, Defendants’ previous requests, and Plaintiff’s failure to show cause as Ordered on September 25, 2020, Defendants hereby renew their request for dismissal with prejudice on the merits based on the within, and as outlined in Defendants’ letter dated September 22, 2020 (ECF Docket No. 50).

Thank you for your attention to this matter.

Respectfully submitted,

**CAMPOLO, MIDDLETON
& McCORMICK, LLP**



By: Patrick McCormick, Esq.
Enclosure

¹ All claims against defendant Dolores Parrish have been dismissed with prejudice. See Docket No. 45.